



Entered on Docket  
June 15, 2010

  
Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

**WILDE & ASSOCIATES**

Gregory L. Wilde, Esq.  
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Deutsche Bank National Trust Company as Trustee for  
Morgan Stanley ABS Capital I Inc. Trust 2007-SEA1  
09-72304

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Jesse K. Chmielewski and  
Stephanie R. Chmielewski, aka Stephanie Popp

Debtors.

BK-S-08-25526-mkn

MS Motion No. 64  
Date: 6/23/10  
Time: 1:30 p.m.

Chapter 13

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor.

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the  
2 post-petition arrearages currently due as follows:

3 8 Monthly Payments(s) at \$1,748.19	\$13,985.52
(October 1, 2009 - May 1, 2010)	
4 Motion for Relief Filing Fee	\$150.00
5 Attorneys Fees	\$750.00
Total	\$14,885.52

6 The total arrearage shall be paid in six monthly installments. Payments one through five  
7 (1-5) in the amount of \$2480.92 shall be in addition to the regular monthly payment and shall be  
8 due on or before the 20th day of the month commencing with the June 20, 2010 payment and  
9 continuing throughout and concluding on or before October 20, 2010. The sixth final payment in  
10 the amount of \$2,480.92 shall be paid on or before November 20, 2010.

11 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume  
12 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,  
13 beginning with the June 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering  
14 the subject Property, generally described as 6757 Bellingrath Court , Las Vegas, NV 89149, and  
15 legally described as follows:

16 PARCEL I:

17 Lot 3 in Block 1 of BROOKSIDE, as shown by Map thereof on file in Book 19 of Plats,  
18 Page 16, in the office of the County Recorder of Clark County, Nevada and amended by  
Certificate of Amendment recorded September 22, 2004 in Book 20040922 as Document  
No. 01709.

19 PARCEL II:

20 An easement for ingress and egress over Private Streets and Common Areas as shown and  
delineated on said Map.

21 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make  
22 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured  
23 Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file  
24 and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of  
25 Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an  
26 attorney fees of \$100.00, to be paid by the Debtors upon

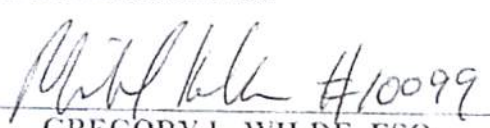
any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least seven business days' notice of the time, place and date of sale.

Submitted by:

WILDE & ASSOCIATES

By


 #10099  
GREGORY L. WILDE, ESQ.

Attorneys for Secured Creditor  
212 South Jones Boulevard  
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

Rick A. Yarnall

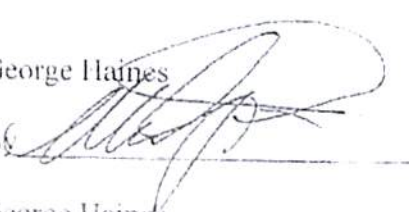
By

 6-3-10  
Rick A. Yarnall

Chapter 13 Trustee  
701 Bridger Avenue #820  
Las Vegas, NV 89101

George Haines

By

  
George Haines

Attorney for Debtors  
1020 Garces Avenue  
Las Vegas, NV 89101

Nevada Bar No.

#9353

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☒ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☐ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor